

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS JAMES NEWILL,
Plaintiff,

v.

CAMPBELL TRANSPORTATION COMPANY,
INC.,
Defendant.

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) **2:12-cv-1344**
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MEMORANDUM ORDER

Now pending before the Court is DEFENDANT’S MOTION IN LIMINE TO PRECLUDE ADMISSION OF NEWS ARTICLES INTO EVIDENCE (ECF No. 84), and Plaintiff’s response thereto (ECF No. 97). Defendant seeks to exclude two articles about CTC’s barges that appeared in trade magazines, which Plaintiff has identified as exhibits in his pretrial statement, arguing that the articles are inadmissible hearsay. Plaintiff responds that he intends to rely only on the photographs depicted alongside the articles, inasmuch as they may be relevant to contradict certain testimony from CTC’s witnesses on cross-examination. He further notes that he is willing to redact the articles so that only the photographs will be visible to the jury. In light of Plaintiff’s willingness to redact the articles so that only the photographs are visible, the Court **GRANTS IN PART** Defendant’s motion, insofar as it seeks to exclude the magazine articles, themselves, but **DENIES IN PART** the motion, insofar as it seeks to prevent the use of the photographs contained therein.¹ **SO ORDERED**, this 14th day of January, 2015.

1. The Court notes that newspapers and periodicals, along with photographs contained therein, are self-authenticating documents. *See* Fed. R. Evid. 902(6); *Milton H. Greene Archives, Inc. v. BPI Commc’ns, Inc.*, 378 F. Supp. 2d 1189, 1195 n.3 (C.D. Cal. 2005) (“Newspaper and magazine advertisements and photographs are self-authenticating.”).

BY THE COURT:

s/Terrence F. McVerry
Senior United States District Judge

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